

BEST AVAILABLE COPY

PTO/SB/64a (05-03)

Approved for use through xx/xx/200x. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL
FILING (37 CFR 1.137(f))**

Docket Number (Optional)

509982003300

First named inventor: Joerg BISCHOFF, et al.

Application No.: 10/066,555

Art Unit: 2857

Filed: 1/31/02

Examiner: Not assigned

Title: OVERLAY MEASUREMENTS USING PERIODIC GRATINGS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916**FAX RECEIVED****MAY 02 2003****PETITIONS OFFICE**NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the
Office of the filing of an application in a foreign country or under a multinational international treaty that requires
publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of
the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1300.00 (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under
a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of
applications eighteen months after filing. The filing date of the subsequently-filed foreign or international
application is January 22, 2003.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete,
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent
and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS
ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

PTO/SB/64a (05-03)

Approved for use xx/xx/200x. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

May 2, 2003

Date

Peter J. Yim (Reg. No. 44,417)

Signature

Telephone

Number: 415-268-6373Peter J. Yim

Typed or printed name

425 Market Street

Address

San Francisco, CA 94105-2482Enclosures: ☐ Fee Payment☐ Additional sheets containing statements establishing unintentional delay☒ Other: fax cover sheet 1 pg. transmittal 1 pg.;
fee transmittal (in duplicate)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-8916.May 2, 2003

Date

Janet Hollrah

Signature

Janet Hollrah

Type or printed name of person signing certificate